

**Response to Missing
Requirements Under
35 USC § 371**

Attorney Docket No.: DAIRY88.015APC
First Named Inventor: Lee et al.
Int'l Application No.: PCT/NZ2004/00142
US Application No.: 10/563,314
Entered National Phase: December 29, 2005
Title: A METHOD FOR MODIFYING THE TEXTURE OF A
DAIRY PRODUCT

Direct all correspondence to Customer No.: 20995

Date: July 27, 2006

Page 1 of 1

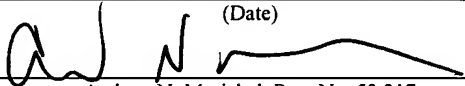
Mail Stop PCT

United States Patent and Trademark Office
PO Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, on

July 27, 2006

(Date)



Andrew N. Merickel, Reg. No. 53,317

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- (X) Copy of the Notification of Missing Requirements under 35 USC 371 dated May 9, 2006.
- (X) An Oath or Declaration signed by the inventors (35 USC 371(c)(4)) in 2 pages.
- (X) Return prepaid postcard.

FILING FEES NOT YET PAID:

| FEE CALCULATION | | | | |
|-------------------|---------------------|--------------|----------------------|--------------|
| FEE TYPE | | LARGE FEE | CALCULATION | TOTAL |
| Late Oath/Decl. | 37 CFR § 1.492(h) | 1617 (\$130) | | \$130 |
| 1 Month Extension | 37 CFR § 1.17(a)(1) | 1251 (\$120) | | \$120 |
| | | | SUB TOTAL | \$250 |
| | | | TOTAL FEE DUE | \$250 |

- (X) A check in the amount of **\$250** is enclosed to cover the above fees.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.

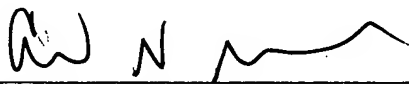
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01 FC:1617 130.00 DP

08/09/2006 HKAYPAGH 00000054 10563314

02 FC:1251 120.00 DP

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072706


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ANM (gm)



UNITED STATES PATENT AND TRADEMARK OFFICE

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| | | |
|---|---------------------------------------|------------------------------------|
| U.S. APPLICATION NUMBER NO. 10/563,314 | FIRST NAMED APPLICANT Siew Kim Lee | ATTY. DOCKET NO. DAIRY88.015APC |
|---|---------------------------------------|------------------------------------|

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|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

PCT/NZ04/00142

| | |
|--------------------------------|-----------------------------|
| I.A. FILING DATE 07/05/2004 | PRIORITY DATE 07/04/2003 |
|--------------------------------|-----------------------------|

20995
 KNOBBE MARTENS OLSON & BEAR LLP
 2040 MAIN STREET
 FOURTEENTH FLOOR
 IRVINE, CA 92614

CONFIRMATION NO. 6941

371 FORMALITIES LETTER



OC000000018720145

Date Mailed: 05/09/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/29/2005
- Copy of the International Search Report filed on 12/29/2005
- Preliminary Amendments filed on 12/29/2005
- Information Disclosure Statements filed on 12/29/2005
- U.S. Basic National Fees filed on 12/29/2005
- Priority Documents filed on 12/29/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/563,314 | PCT/NZ04/00142 | DAIRY88.015APC |

FORM PCT/DO/EO/905 (371 Formalities Notice)